

The Gazette of India



PUBLISHED BY AUTHORITY

SIMLA, SATURDAY, FEBRUARY 12, 1955

Separate paging is given to this Part in order that it may be filed as a separate compilation

PART III—SECTION 3

Notifications relating to Minor Administrations

GOVERNMENT OF KUTCH

NOTIFICATION

Bhuj, the 2nd February 1955

No. S-33/55—Reference paragraph 2 of Government Notification No. S-5/54 dated the 7th May 1954.

2. The Chief Commissioner for Kutch is pleased to sanction the continuance of the appointment of Shri P. R. Jadeja as Extra Chittis to the Collector, Kutch with effect from 12th August 1954 to 2nd September 1954.

By order

S. B. PATIL

Secretary to the Chief Commissioner for Kutch

CORRIGENDUM

Bhuj, the 3rd February 1955

No. S-7/55—For the words and figures, "Rs. 220—15—400" appearing in the second line of this Government Notification No. S-7/55, dated the 17th December 1955, please read "Rs. 250—15—400".

By order

S. B. PATIL

Secretary to the Chief Commissioner for Kutch.

GOVERNMENT OF AJMER

Education Department

NOTIFICATIONS

Ajmer, the 1st February 1955

No. 22/8/54-Edn—Shri R. K. Kaul, Principal, Teachers' Training Institute, Ajmer, was granted earned leave for 30 days and commuted leave for 13 days with effect from the 13th September 1954, to 25th October 1954, (both days inclusive), with permission to prefix the 11th and the 12th September 1954, and suffix the 26th October 1954, to the 11th November 1954, which were holidays.

Shri R. K. Kaul resumed charge of his duties as Principal, Teachers' Training Institute, Ajmer, in the forenoon of the 12th November 1954.

By order

P. N. SETH

Deputy Secretary

Medical and L.S.G. Department

Ajmer, the 2nd February 1955

No. 4/68/52-Medl—Dr. (Mrs.) C. P. Quiterio, Lady Civil Assistant Surgeon, Grade I, Victoria Hospital, Ajmer has been granted earned leave for 38 days with effect from the forenoon of the 23rd December 1954.

By order

G. S. GAITONDE

Secretary

Ajmer, the 3rd February 1955

No. 4/53/52-Medl—Dr. Raj Narain, Civil Assistant Surgeon, Grade II at present on foreign service under the Ajmer Municipality has been appointed to officiate as Civil Assistant Surgeon, Grade I, Victoria Hospital, Ajmer with effect from the forenoon of the 6th December 1954 vice Dr. Bhagwan Swarup who has proceeded on leave.

Dr. Raj Narain has been allowed to continue on foreign service under the Ajmer Municipality with effect from the same date, viz. from the forenoon of the 6th December 1954.

By order

G. S. GAITONDE

Secretary

Revenue Department

Ajmer, the 4th February 1955

No. 11/47/54-Rev—In pursuance of section 48(1) of the Land Acquisition Act, 1894, the Chief Commissioner, Ajmer, hereby withdraws from the acquisition of the land mentioned in the following notifications namely:—

1. Notification No. 62/3/49-Admn., dated 24th March 1949 as amended by notification No. 62/3/49-Admn., dated 8th January 1952.
2. Notification No. 62/3/49-Admn., dated 17th March 1952 setting out the agreement executed by the Ajmer Housing Cooperative, Ltd.
3. Notification No. 62/3/49-Admn., dated 17th March 1952 under section 6 of the said Act.

By order

ASOKA SEN

Chief Secretary

Home and Services Department

Ajmer, the 5th February 1955

No. S(1-d)/1/55-H&S—Shri A. R. Sethi assumed charge of the office of Finance Secretary to the Government of Ajmer, in the forenoon of the 3rd January 1955, vice Shri P. C. Mukherjee.

By order of the Chief Commissioner

A. SEN

Chief Secretary

Legislative Assembly Department

Ajmer, the 31st January 1955

No. 1/49/53-LA—In pursuance of sub-rule (2) of rule 1 of the Ajmer State Legislative Assembly (Completion of Financial Business) Rules, 1954, the Chief Commissioner, Ajmer after consultation with the Speaker, has appointed the 12th February 1955, as the date on which the said Rules shall come into force.

G. S. GAITONDE

Secretary

Ajmer, the 31st January 1955

No. 1/49/53-LA—In exercise of the powers conferred by the proviso to sub-section (1) of section 32 of the Government of Part C States Act, 1951 (XLIX of 1951), the Chief Commissioner of the State of Ajmer hereby makes, after consultation with the Speaker of the Legislative Assembly of that State, and with the approval of the President, the following rules for securing the timely completion of financial business and for regulating the procedure of, and the conduct of business in the said Legislative Assembly in relation to any financial matter or to any Bill for appropriation of moneys out of the Consolidated Fund of that State:—

1. Short title and commencement—(1) These rules may be called the Ajmer State Legislative Assembly (Completion of Financial Business) Rules, 1954.

(2) They shall come into force on such date as the Chief Commissioner may, after consultation with the Speaker, appoint in this behalf.

2. Definitions—(1) In these rules, unless the context otherwise requires—

(i) 'Act' means the Government of Part C States Act, 1951 (XLIX of 1951);

(ii) 'Assembly' means the Ajmer State Legislative Assembly;

(iii) 'Chief Commissioner' means the Chief Commissioner of the State of Ajmer;

(iv) 'Committee' means any committee appointed by the Assembly or by the Speaker;

(v) 'Constitution' means the Constitution of India;

(vi) 'Deputy Speaker' means the Deputy Speaker of the Assembly;

(vii) 'Finance Minister' means the Minister in charge of finance or any other Minister to whom he may delegate the functions assigned to him under these rules;

(viii) 'Government' means the Government of Ajmer;

(ix) 'Leader of the Assembly' means the Chief Minister and includes any other Minister to whom the Chief Minister may delegate the functions assigned to the Leader of the Assembly under these rules;

(x) 'Member' means a member of the Assembly;

(xi) 'Minister' means a member of the Council of Ministers of the State and includes any member of the Assembly to whom such Minister may delegate any functions assigned to him under these rules;

(xii) 'Motion' means a proposal made by a member for the consideration of the Assembly and includes a resolution and an amendment to a motion;

(xiii) 'Resolution' means a substantive motion for the purpose of discussing a matter of general public interest;

(xiv) 'Secretary' means the Secretary to the Assembly and includes any person for the time being performing the duties of the Secretary;

(xv) 'Session' means the period beginning from the date on which the Assembly meets at the summons of the Chief Commissioner and ending on the date on which it is prorogued by the Chief Commissioner;

(xvi) 'Speaker' means the Speaker of the Assembly and includes any person for the time being performing the duties of the Speaker; and

(xvii) 'State' means the State of Ajmer.

(2) Words and expressions used in the Constitution and in the Act and also in these rules and not defined shall, unless the context otherwise requires, have the meanings assigned to them in the Constitution or the Act, as the case may be.

3. Interpretation—If any doubt arises as to the interpretation of any of the provisions of these rules, the decision of the Speaker thereon shall be final.

4. Presentation of the Budget—(1) The annual financial statement or the statement of estimated receipts and expenditure of the State in respect of every financial year (hereinafter referred to as 'the Budget') shall be presented to the Assembly on such date in the financial year preceding the financial year to which the Budget relates as the Chief Commissioner may appoint.

(2) No discussion of the Budget shall take place on the date on which it is presented to the Assembly.

5. The form in which the Budget may be presented—(1) A separate demand shall ordinarily be made in respect of the grant proposed for each department of the Government:

Provided that the Finance Minister may include in one demand grants proposed for two or more departments or

make one demand in respect of expenditure, which cannot readily be classified under any particular departments.

(2) Each demand shall contain first, a statement of total grant proposed, and then a statement of detailed estimate under each grant divided into items.

(3) Subject to provisions of sub-rules (1) and (2) the Budget shall be presented to the Assembly in such form as the Finance Minister may, after considering the suggestions, if any, of the Estimates Committee, determine.

6. Discussions of the Budget—The Budget shall be dealt with by the Assembly in two stages, namely:

(1) general discussions, and

(2) voting of demands for grants.

7. General discussions—(1) On a date or dates to be appointed by the Speaker subsequent to the date on which the Budget is presented, the Assembly shall be at liberty to discuss the Budget as a whole or any question of principle involved therein, but no motion shall be moved nor shall the Budget be submitted to the vote of the Assembly at this stage.

(2) The Finance Minister shall have a general right of reply at the end of discussion.

(3) The Speaker may, if he thinks fit, prescribe a time limit for speeches.

8. Voting of demands—(1) Voting of demands for grants shall take place in such order and on such days not exceeding 8 days as the Speaker may, in consultation with the Leader of the House, allot for the purpose.

(2) On a day allotted under sub-rule (1) for the voting of demands for grants, no other business except the asking and answering of questions shall be taken up without the consent of the Speaker.

(3) As soon as the maximum limit of time for discussion of a demand is reached, the Speaker shall forthwith put every question necessary to dispose of that demand.

(4) On the last day of the days so allotted, half an hour before the close of usual sitting of the day, the Speaker shall forthwith put every question necessary to dispose of all the outstanding matters in connection with the demands for grants; and the consideration thereof shall not be anticipated by any motion for adjournment or be interrupted in any manner whatsoever nor shall any dilatory motion be moved in regard thereto.

9. Budget motions—(1) The minister who moves the demand for grant may make a statement explaining the policy underlying the demand.

(2) Any member may then make a motion to reduce the demand by a specified sum. No motion shall, however, be made which will have an effect of increasing or altering the destination of the demand.

(3) Notices of a motion given by members under sub-rule (2) shall be given not less than two days before the first day allotted for the voting of demands for grants unless otherwise directed by the Speaker.

(4) Notices of every such motion shall indicate the object proposed to be discussed on the motion.

(5) When several motions relating to the same demand have been proposed, they shall be arranged and discussed in such order as the Speaker may determine.

(6) No amendment to a motion to reduce any grant shall be allowed.

10. Supplementary or additional grants or grants for excess expenditure—(1) Supplementary, additional, excess and exceptional grants and votes of credit shall be regulated by the same procedure as is applicable in the case of demands for grants subject to such adaptations, whether by way of modification, addition or omission as the Speaker may deem necessary or expedient.

(2) The debate on the supplementary grants shall be confined to the items constituting the same and no discussion may be raised on the original grants nor policy underlying them save in so far as it may be necessary to explain or illustrate the particular items under discussion.

11. Token Grants—When funds to meet the proposed expenditure on a new service can be made available by reappropriation, a demand for the grant of a token sum may be submitted to the vote of the Assembly and if the Assembly assent to the demand, such funds may be so made available.

12. Appropriation Bill—(1) Subject to the provisions of the Act, the procedure in regard to an Appropriation Bill shall be the same as for Bills generally with such modification as the Speaker may consider necessary.

(2) At any time after the introduction in the Assembly of an Appropriation Bill, the Speaker may allot a day or days for the completion of all or any of the stages involved in the passage of the Bill by the Assembly, and when such allotment has been made, the Speaker shall at 5 O'clock on the allotted day, or, as the case may be, the last of the allotted days, forthwith put every question necessary to dispose of all the outstanding matters in connection with the stage or stages for which the day or days have been allotted.

(3) The Speaker may, if he thinks fit, prescribe a time limit for speeches at all or any of the stages for which day or days have been allotted under the preceding sub-rule.

(4) The debate on an Appropriation Bill shall be restricted to matters of public importance or administrative policy implied in the grants covered by the Bill which have not already been raised while the relevant demands for grants were under consideration.

(5) The Speaker may, in order to avoid repetition of debate, require members desiring to take part in the discussions on an Appropriation Bill to give advance intimation of the specific points they intend to raise, and he may withhold permission for raising such of the points as in his opinion appear to be repetitions of the matters discussed on a demand for grant or as may not be of sufficient public importance.

(6) If an Appropriation Bill is in pursuance of a supplementary grant in respect of an existing service the discussions shall be confined to the items constituting the same and no discussion shall be raised on the original grant nor the policy underlying it save in so far as it may be necessary to explain or illustrate a particular item under discussion.

13. *Constitution of Committee on Public Accounts*—
(1) As soon as may be after the commencement of the first session of the Assembly in every year, a Committee on Public Accounts shall be constituted for the purpose of examination of accounts showing the appropriation of sums granted by the Assembly for the expenditure of the State, annual Finance Accounts of the State and such other accounts laid before the Assembly as the Committee may think fit.

(2) The Committee on Public Accounts shall consist of not more than seven members, who shall be elected by the Assembly every year from amongst its members according to the principle of proportional representation by means of the single transferable vote:

Provided that no Minister shall be appointed to be a member of the Committee and, if a member, after election to the Committee, is appointed a Minister, he shall cease to be member of the Committee from the date of such appointment.

(3) Casual vacancies shall be filled as soon as possible after they occur in the manner prescribed in sub-rule (2) and any person elected to fill such a vacancy shall hold office for so long only as the person in whose place he is elected would have held office. During any vacancy in the Committee, the continuing members may act as if no vacancy has occurred.

(4) In order to constitute a meeting of the Committee, the quorum shall be three.

(5) (a) The Chairman of the Committee shall be appointed by the Speaker from amongst members of the Committee:

Provided that if the Deputy Speaker is a member of the Committee, he shall be appointed to be the Chairman of the Committee.

(b) If the Chairman is for any reason unable to act, the Speaker may similarly appoint another Chairman in his place.

(c) If the Chairman is absent from any meeting, the Committee shall choose another member to act as Chairman for that meeting.

(6) In the case of an equality of votes on any matter, the Chairman shall have a second or casting vote.

(7) The Committee may appoint one or more sub-committees, each having the powers of the undivided Committee, to examine any matters that may be referred to them, and the reports of such sub-committee shall be deemed to be the reports of the whole Committee if they are approved at a meeting of the whole Committee.

(8) The Committee may, if it thinks fit, make available to Government any completed part of its report before

presentation to the Assembly. Such reports shall be treated as confidential until presented to the Assembly.

(9) The Committee may hear officials or take other evidence connected with the accounts under examination. It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

(10) (a) The Speaker may, from time to time, issue such direction to the Chairman of the Committee as he may consider necessary for regulating its procedure and the organisation of its work.

(b) If any doubt arises on any point of procedure or otherwise the Chairman may, if he thinks fit, refer the point to the Speaker whose decision shall be final.

(11) The Secretary shall be the *ex-officio* Secretary to the Committee and to any sub-committee appointed by the Committee.

(12) The Committee shall have power to pass resolution on matters of procedure for the consideration of the Speaker, who may make such variations in procedure as he may consider necessary.

14. *Control of Committee on Public Accounts*—(1) In scrutinising the appropriation accounts of the State and the report of the Comptroller and Auditor-General thereon, it shall be the duty of the Public Accounts Committee to satisfy itself:—

(a) that the moneys shown in the accounts as having been disbursed were legally available for and applicable to the service or purpose to which they have been applied or charged;

(b) that the expenditure conforms to the authority which governs it; and

(c) that every reappropriation has been made in accordance with the provisions made in this behalf under rules framed by competent authority.

(2) It shall also be the duty of the Public Accounts Committee:

(a) to examine such trading, manufacturing and profit and loss accounts and balance sheets as the Chief Commissioner may have required to be prepared, and the Comptroller and Auditor-General's report thereon;

(b) to consider the report of the Comptroller and Auditor-General in cases where the President may have required him to conduct an audit of any receipts or to examine the accounts of stores and stocks.

15. *Presentation of reports by the Public Accounts Committee*—The report of the Committee on Public Accounts on the Appropriation and the Finance Accounts of the State and the reports of the Comptroller and Auditor-General thereon shall be presented to the Assembly by the Chairman of the Committee on Public Accounts.

16. *Committee on Estimates*—(1) As soon as may be after the commencement of the first session of the Assembly every year, a Committee on Estimates may, if the Assembly so desires, subject to the provisions of this rule, be constituted for the examination of such of the estimates as may seem fit to the Committee or are specifically referred to it by the Assembly and to report what, if any, economies consistent with the policy underlying the estimates may be effected therein.

(2) The Committee, if constituted, shall consist of not more than seven members, who shall be elected by the Assembly every year from amongst its members according to the principle of proportional representation by means of the single transferable vote:

Provided that no Minister shall be appointed to be a member of the Committee, and if a member, after election to the Committee, is appointed to be a Minister, he shall cease to be a member of the Committee from the date of such appointment.

(3) Casual vacancies in the Committee shall be filled as soon as possible after they occur by election in the manner aforesaid and any person elected to fill such vacancy shall hold office for the period for which the person in whose place he is elected would, under the provisions of this rule, have held office.

(4) In order to constitute a meeting of the Committee, the quorum shall be three.

(5) (a) The Chairman of the Committee shall be appointed by the Speaker from amongst members of the Committee:

Provided that if the Deputy Speaker is a member of the Committee, he shall be appointed to be the Chairman of the Committee.

(b) If the Chairman is for any reason unable to act, the Speaker may appoint another Chairman in his place.

(c) If the Chairman is absent from any meeting, the committee shall choose another member of the committee to act as Chairman for that meeting.

(6) In the case of any equality of votes on any matter, the Chairman shall have a second or casting vote.

(7) The Committee may appoint one or more sub-committees, each having the powers of the undivided Committee, to examine any matters that may be referred to them, and the reports of such sub-committees shall be deemed to be the reports of the whole Committee if they are approved at a meeting of the whole Committee.

(8) The Committee may, if it thinks fit, make available to Government any completed part of its report before presentation to the Assembly. Such reports shall be treated as confidential until presented to the Assembly.

(9) The Committee may hear officials or take other evidence connected with the estimates under examination. It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

(10) The Committee may continue its examination of the estimates from time to time throughout the financial year and report to the Assembly, as its examination proceeds. It shall not be incumbent on the Committee to examine the entire estimates of any one year. The demands for grants may be finally voted notwithstanding the fact that the Committee has made no report.

(11) (a) The Speaker may from time to time issue such directions to the Chairman of the Committee as he may consider necessary for regulating its procedure and organisation of its work.

(b) If any doubt arises on any point of procedure or otherwise, the Chairman may, if he thinks fit, refer the point to the Speaker whose decision thereon shall be final.

(12) The Committee shall have power to pass resolutions on matters of procedure for the consideration of the Speaker, who may make such variations in procedure as he may consider necessary.

(13) The Secretary shall be the *ex-officio* Secretary of the Committee and of any sub-committee appointed by the Committee.

G. S. GAITONDE
Secretary

Ajmer, the 12th February 1955

No. 1/4/52-LA.Vol.III—The following Rules of Procedure and Conduct of Business in the Ajmer State Legislative Assembly made under section 32(1) of the Government of Part C States Act, 1951 (No. XLIX of 1951) are published for general information.

G. S. GAITONDE
Secretary

Rules of Procedure and Conduct of Business in the Ajmer State Legislative Assembly

CHAPTER I

Short Title, Commencement, Definitions and Interpretation

1. *Short title and commencement*—(1) These rules may be called the Ajmer State Legislative Assembly Rules.

(2) They shall come into force from the date of their publication in the official Gazette.

2. *Definitions*—(1) In these rules, unless the context otherwise requires,—

(i) "Act" means the Government of Part C States Act, 1951 (No. XLIX of 1951);

(ii) "Assembly" means the Ajmer State Legislative Assembly;

(iii) "Chief Commissioner" means the Chief Commissioner of Ajmer State;

(iv) "Clear days" includes all intervening Sundays and holidays but excludes the day on which the notice is received and the day for which it is given;

(v) "Committee" means any Committee appointed by the House or by the Speaker;

(vi) "Constitution" means the Constitution of India;

(vii) "Deputy Speaker" means the Deputy Speaker of the Assembly;

(viii) "Division" means taking of votes by sending the members to lobbies or by adopting such other method under which lists of members voting on either side are provided;

(ix) "Finance Minister" means the Minister-in-charge of Finance or any other Minister to whom he may delegate the functions assigned to him under these rules;

(x) "Gazette" means the Gazette of India;

(xi) "Government" means the Government of Ajmer State;

(xii) "Government business" includes all business other than private members' business.

(xiii) "House" means the Ajmer State Legislative Assembly;

(xiv) "Leader of the House" means the Chief Minister and includes any Minister to whom the Chief Minister may delegate the functions assigned to the Leader of the House under these rules;

(xv) "Legislature" means the Legislative Assembly of Ajmer State;

(xvi) "Member" means a member of the Assembly;

(xvii) "Member-in-charge of the Bill" means, in the case of a Government Bill any Minister, and in any other case the member who has introduced the Bill or a member authorised in writing by such member to act in his behalf;

(xviii) "Member-in-charge" in the case of a resolution or motion means the member who has moved or made such resolution or motion;

(xix) "Minister" means a member of the Council of Ministers and includes any member of the Assembly to whom such Minister may delegate any function assigned to him under these rules;

(xx) "Motion" means a proposal made by a member for the consideration of the Assembly and includes a resolution and an amendment to a motion;

(xxi) "Naming a member" means drawing by the Speaker the attention of the House to the conduct of a member with a view to action being taken against him;

(xxii) "Parliamentary Secretary" means a member holding the office of Parliamentary Secretary under the Ajmer Government;

(xxiii) "President" means the President of India;

(xxiv) "Printing" includes typing and cyclostyling;

(xxv) "Private member" means a member other than a Minister;

(xxvi) "Private members' business" means the business of which notice is given by private members;

(xxvii) "Prorogue" and its derivative "Prorogation" means the ending of a session by an order of the Chief Commissioner under section 9 of the Act;

(xxviii) "Resolution" means a substantive motion for the purpose of discussing a matter of general public interest;

(xxix) "Rules" means the Ajmer State Legislative Assembly Rules;

(xxx) "Secretary" means the Secretary to the Assembly and includes any person for the time being performing the duties of the Secretary;

(xxxi) "Select Committee" means a Committee of members to which a Bill is referred by the Assembly for consideration after it has been introduced;

(xxxii) "Session" means the period from the time the Assembly meets at the summons of the Chief Commissioner to the time when it is prorogued by the Chief Commissioner;

(xxxiii) "Speaker" means the Speaker of the Assembly and includes any person for the time being performing the duties of the Speaker;

(xxxiv) "State" means the State of Ajmer.

(2) The words and expressions used in the Constitution and the Act and not defined in these rules shall, unless the context otherwise requires, have the meanings assigned to them in the Constitution and the Act.

3. *Interpretation*—If any doubt arises as to the interpretation of any of the provisions of these rules, the decision of the Speaker shall be final.

CHAPTER II

Summoning, Adjournment and Prorogation of Assembly

4. *Summoning of Assembly*—(1) The Assembly shall be summoned by the Chief Commissioner to meet at a time and place fixed by him but six months shall not intervene between its last sitting in one session and the date appointed for its first sitting in the next session.

(2) The summons under sub-rule (1) shall be issued by the Secretary 16 days before the date so fixed:

Provided that the Chief Commissioner may summon the Assembly at a shorter notice for emergent and extraordinary reasons to be recorded.

5. *Adjournment of Assembly*—The Speaker may adjourn a meeting of the Assembly either on his own or on the motion of the House in that behalf:

Provided that no meeting shall be adjourned for more than 10 days except at the request of the Leader of the House:

Provided further that the Speaker may for sufficient reasons call a meeting of the Assembly before the date to which it has been adjourned under this rule.

6. *Prorogation of Assembly*—(1) A session of the Assembly is terminated by prorogation.

(2) On the prorogation of a session, all pending notices and business shall lapse except Bills which have been introduced. Such Bills shall be carried over to the next session from the stage reached by them in the expiring session provided that fresh notice shall be given for motions regarding the same. If the member-in-charge of a Bill makes no motion regarding the same during two complete sessions, the Bill shall lapse.

CHAPTER III

Speaker, Deputy Speaker and Panel of presiding Members

7. *Temporary Chairman*—At the beginning of a new Assembly and if at any other time the office of the Speaker is vacant and there is no person authorised and able to preside over the Assembly the Chief Commissioner may appoint from amongst its members a Chairman to preside over the meeting of the Assembly until a Speaker has been duly elected.

8. *Election of Speaker*—(1) When, at the beginning of a new Assembly or owing to the existence of any vacancy in the office of Speaker, the election of a Speaker is necessary, the Chief Commissioner shall fix a date for the holding of the election and the Secretary shall send to every member notice of the date so fixed:

Provided that the date so fixed shall be within fifteen days (i) of the occurrence of the vacancy if the Assembly is sitting; or (ii) of the next meeting of the Assembly if it is not sitting at the time the vacancy occurs.

(2) At any time before noon on the day preceding the date so fixed any member may nominate another member for election. The nomination paper shall contain the name of the member nominated, shall be signed by the proposer and seconder and also contain a declaration by the nominee that he is willing to serve as Speaker, if elected. It shall be delivered to the Secretary in person either by the proposer or the seconder or the candidate nominated:

Provided that a member shall not propose or second more than one candidate.

(3) The election shall take place at a meeting of the Assembly.

(4) On the date fixed for election, the member presiding at the meeting shall read out to the Assembly the names of members who have been duly nominated together with those of their proposers and seconders, and if only one member has been so nominated, shall declare that member to be elected. If more than one member has been so nominated, the Assembly shall proceed to elect a Speaker by ballot.

(5) For the purpose of sub-rule (4), a member shall not be deemed to have been duly nominated if he, his proposer or seconder has not, before the reading out of the names by the member presiding, taken the oath or made the affirmation as member of the Assembly.

(6) Where more than two candidates have been nominated, and at the first ballot no candidate obtains more votes than the aggregate votes obtained by the other candidates, the candidate who has obtained the smallest number of votes shall be excluded from the election and balloting shall proceed, the candidate obtaining the smallest number of votes at each ballot being excluded from the election until the candidate obtains more votes than the remaining candidates or than the aggregate votes of the remaining candidates, as the case may be.

(7) Where at any ballot any two or more candidates obtain an equal number of votes, the candidate to be excluded from the election under sub-rule (6) shall be determined by drawing lots.

9. *Election of Deputy Speaker*—(1) For the purpose of the election of the Deputy Speaker, the Speaker shall—

(i) In the case of an election to the office at the beginning of a new Assembly fix a date not later than ten days from the date of the Speaker's election, and

(ii) In the case of an election at any other time when a vacancy occurs, fix a date not later than ten days from the date of the first meeting of the Assembly after the occurrence of the vacancy.

(2) The procedure for the election shall be the same as that in respect of the election of the Speaker, except that the Speaker shall preside when the election is held.

10. *Vacation of the Offices of Speaker and Deputy Speaker on their Appointment as Ministers*—On the appointment of the Speaker or the Deputy Speaker as a member of the Council of Ministers, his office as Speaker or Deputy Speaker, as the case may be, shall be deemed to have fallen vacant.

11. *Panel of Presiding Members*—(1) As soon as may be after the commencement of every session the Speaker shall nominate from amongst the members of the Assembly a panel of not more than four members any one of whom may preside over the Assembly in the absence of the Speaker and the Deputy Speaker when requested to do so by the Speaker or in his absence by the Deputy Speaker or by the Leader of the House in the absence of the Speaker and the Deputy Speaker. If no member of the panel is present, the Assembly may, if there is quorum, by motion elect one of its members present to preside over the Assembly.

(2) A Presiding Member nominated under sub-rule (1) shall hold office until the end of the session.

12. *Powers of Deputy Speaker and Presiding Members*—The Deputy Speaker and any member of the Assembly, when presiding over the Assembly, shall have the same powers as the Speaker when so presiding; and all references to the Speaker in these rules shall be deemed to be references to the member so presiding.

13. *Delegation of powers to Deputy Speaker*—The Speaker may by order in writing delegate to the Deputy Speaker all or any of his powers and may revoke any such delegation.

CHAPTER IV

Meetings of Assembly

14. *Sittings of Assembly*—After the commencement of a session, the Assembly shall sit on such days as the Speaker having regard to the state of business of the Assembly may from time to time determine.

15. *Seating of Members*—The members shall sit in such order as the Speaker may determine from time to time.

16. *Attendance Register*—A record of attendance of members in the meetings of the Assembly shall be kept by the Secretary and for this purpose an attendance register shall be maintained. It will be placed near the Secretary's table before the commencement of a meeting and the members, other than the Speaker, the Deputy Speaker, Ministers and Parliamentary Secretaries shall sign it. No member who has not signed the register shall be treated as present.

Provided that the Speaker, if he is satisfied, may order that a member who attended a meeting but failed to sign the register, may be marked as present.

17. *Hours of Meeting*—(1) The Assembly shall ordinarily meet from—(i) 8 A.M. to 12 Noon from 1st April to 30th September, and (ii) 2 P.M. to 6 P.M., from 1st October to 31st March:

Provided that in special circumstances, the House may, by motion, extend the duration of a sitting.

(2) There will be no meetings on Saturdays, Sundays and other public holidays.

18. *Quorum*—Ten members, including the Speaker, shall constitute the quorum.

19. *Adjournment for failure of Quorum*—If at any time it is brought to the notice of the Speaker by a member that there is no quorum, the division bell shall be rung and if after an interval of not less than three minutes there be still no quorum, the Speaker shall adjourn the House to the next day on which the Assembly ordinarily sits or to a later hour on the same date to be fixed by him.

CHAPTER V

Chief Commissioner's Addresses and Messages to the Assembly

20. *Allotment of time for discussion of Chief Commissioner's Special Address*—Where the Chief Commissioner addresses the Assembly under section 12 of the Act at the commencement of the first session after each general election and at the commencement of the first session of each year, the Speaker shall in consultation with the Leader of the House allot time for the discussion of matters referred to in the Address.

21. *Scope of Discussion*—On such day or days or part of any day the Assembly shall be at liberty to discuss matters referred to in such Address on a motion of thanks moved by a member which shall be seconded by another member.

22. *Amendments*—Amendments may be moved to such motion of thanks in such form as may be considered appropriate by the Speaker.

23. *Other business that may be taken up*—Notwithstanding that a day has been allotted for discussion on the Chief Commissioner's Address, other business of a formal character may, with the permission of the Speaker, be transacted on such day before the Assembly commences or continues discussion on the Address.

24. *Government's Right of Reply*—The Chief Minister or any other Minister whether he has previously taken part in the discussion or not shall, on behalf of the Government, have a general right of explaining the position of the Government at the end of the discussion and the Speaker may enquire how much time will be required for the speech so that he may fix the hour by which the discussion shall conclude.

25. *Time limit for speeches*—The Speaker, may, if he thinks fit, prescribe a time limit for speeches.

26. *Chief Commissioner's other addresses*—There shall be no discussion on other Addresses of the Chief Commissioner made under section 12 of the Act:

Provided that the contents of the Addresses may be referred to in debates in the Assembly.

27. *Messages of the Chief Commissioner*—Where a message under section 12 of the Act from the Chief Commissioner to the Assembly is received by the Speaker, he shall read the message to the House and give necessary directions in regard to the procedure that shall be followed for the consideration of matters referred to in the message. In giving these directions, the Speaker shall be empowered to suspend or vary the rules to such extent as may be necessary.

CHAPTER VI

Communications between the Chief Commissioner and the Assembly

28. *Communications from the Chief Commissioner to the Assembly*—Communications from the Chief Commissioner to the Assembly may be made—

- (a) by an Address to the Assembly as provided by the Act, or
- (b) by written messages to the Speaker signed by the Chief Commissioner, or
- (c) informally through a Minister.

29. *Communications from the Assembly to the Chief Commissioner*—Communications from the Assembly to the Chief Commissioner shall be made—

- (a) by a formal Address after a motion made and carried in the Assembly, and
- (b) through the Speaker.

CHAPTER VII

Arrangement of Business

30. *List of Business*—(1) A list of business for the day shall be prepared by the Secretary and a copy thereof shall be made available for the use of every member and the Chief Commissioner:

Provided that such order of business shall not be varied on the day that business is set down for disposal unless the Speaker is satisfied that there is sufficient ground for such variation.

(2) Save as otherwise provided in these rules, no business not included in the list of business for the day shall be transacted at the meeting without the leave of the Speaker.

(3) No business requiring notice shall be set down for a day before the period of the necessary notice has expired unless otherwise directed by the Speaker.

31. *Allotment of time for Private Members' Business*—The Speaker shall, after consultation with the Leader of the House, allot as many days as are necessary for the transaction of private members' business:

Provided that the number of days so allotted shall not be more than two days for every fourteen days of the session:

Provided further that at least one day shall be provided for private members' business in every session.

32. *Arrangement of Government Business*—(1) On days other than those allotted for the private members' business no business except Government business shall have precedence and the Secretary shall arrange that business in such order as the Speaker in consultation with the Leader of the House, may direct.

(2) On the first working day of every week when the House meets, the Leader of the House or any member authorised by him will, after questions, if any, inform the House of the business to be performed during the week and the order in which it will be taken. If any change is considered necessary, the Government will, as far as possible, inform the House of it a day before it is made.

33. *Arrangement of Private Members' Business*—(1) The arrangement of private members' business shall be in the following order, namely—

- (i) Messages relating to the private members' business from the Chief Commissioner;
- (ii) Motions relating to Bills; and
- (iii) Resolutions.

(2) On the days available for private members, Bills in any session, such Bills shall be arranged in the following order:—

- (a) Bills to be introduced;
- (b) Bills returned by the Chief Commissioner with a message under section 26 of the Act;
- (c) Bills in respect of which a motion has been made that the Bill be passed;
- (d) Bills in respect of which a motion has been carried that the Bill be taken into consideration;
- (e) Bills in respect of which the report of a Select Committee has been presented;
- (f) Bills which have been circulated for the purpose of eliciting opinions; and
- (g) Bills introduced and in respect of which no further motion has been made or carried.

(3) Whenever any difficulty arises in applying this rule, the Speaker shall have power to solve the same in such manner as may seem reasonable to him.

34. *Business Outstanding at end of day*—All business appointed for any day and not disposed of on that day shall stand over until the next day of the session available for business of the class to which it belongs:

Provided that any business which is under discussion at the end of the day shall be set down for the next day allotted to business of that class and shall have precedence over all other business set down for that day.

CHAPTER VIII

Giving of Notices

35. *Giving of Notices by Members*—(1) Every notice required by the rules shall be given in writing addressed to the Secretary, and signed by the member giving notice, and shall be left at the Assembly Notice Office

which shall be open for this purpose between the hours to be notified from time to time, on every day except Sunday or a public holiday.

(2) Notices left or delivered by post after the hours notified under sub-rule (1) shall be treated as given on the next open day.

36. Circulation of Notices and Papers to Members— The Secretary shall circulate to each member a copy of notice or other paper required under the rules to be made available for the use of members.

(2) A notice or other paper shall be deemed to have been made available for the use of a member—

- (i) When the Assembly is in session and for one day before the commencement of the session, unless otherwise requested by the member, if it is delivered by hand at the local address given by the member (in this case it will be necessary that receipt is acknowledged in the delivery book); or when the Assembly is actually sitting, if it is placed on the seat allotted to the member present in the Assembly chamber;
- (ii) on other days, if it is sent by post to the member's permanent address as registered in the Assembly office.

CHAPTER IX

Questions

37. Subject Matter of Questions—A question must relate to a matter of administration for which the Government is responsible. Its purpose shall be the eliciting of information or suggesting action on a matter of public importance.

38. Questions regarding controversy with higher authorities—In matters which are or have been the subject of controversy between the President or the Indian Union and the Government of the State, no question shall be asked except as to matters of fact and the answer shall be confined to a statement of fact.

39. Classification of Questions—The questions will be classified as follows—

- (a) Short notice questions,
- (b) Starred questions, and
- (c) Unstarred questions.

A short notice question may be distinguished by placing two asterisks and a starred question may be distinguished by placing one asterisk. Answers to short notice and starred questions shall be read out after which any member shall be entitled to put supplementary questions for the purpose of elucidating any matter of fact regarding which an oral answer has been given.

40. Notice of Questions—(1) A member asking questions shall give eleven clear days' notice of such questions which shall be forwarded to Government by the Secretary eight clear days before the date due for answering the questions.

(2) (a) A question relating to a matter of public importance may be asked with shorter notice than eleven clear days and if the Speaker is of opinion that the question is of an urgent character he may direct that an enquiry may be made from the Minister concerned if he is in a position to reply and, if so, on what date.

(b) If the Minister concerned does not agree to answer it as a short notice question he shall send intimation to that effect to the Secretary within twenty-four hours of the receipt of the notice of the question.

(3) If a short notice question is not admitted or answered as such, the member concerned shall be informed accordingly.

41. Short Notice Questions—(1) A short notice question must relate to a matter of urgent public importance.

(2) A member asking a short notice question shall give in the notice his reasons for asking the question as such.

42. Mode of giving Notice of Questions—(1) Notice of a question shall be given in writing and shall specify the official designation of the Minister to whom it is addressed or if the question is addressed to a private member the name of such member.

(2) A member who wishes to ask a question shall along with his notice submit a copy of the question.

43. Limitation of number of Questions—A member shall not ask more than three self-contained starred questions

on a single day. Questions in excess of three, if any, may be admitted as unstarred questions.

44. Unstarred Questions—Questions which have not been distinguished with any asterisk shall be treated as unstarred questions. Answers to such questions shall not be read out on the floor of the House but shall be given in writing and the written reply shall be placed on the table of the House.

45. Time for Questions—Unless the Speaker otherwise directs the first hour of every meeting of the Assembly shall be available for the asking and answering of questions, short notice questions having precedence over others.

46. Postponement of Question due to absence of Minister—In the event of the absence of the Minister concerned on account of special or unexpected circumstances, the Speaker on request being made in that behalf, may postpone the question to any future day:

Provided that another Minister may answer such question, if authorised to do so by the absent Minister.

47. Question of Absent Members—When all the questions for which an oral answer is desired have been called, the Speaker may, if time permits, call again any question which has not been asked by reason of the absence of the member in whose name it stands, and may also permit a member to ask a question standing in the name of another member, if so authorised by him.

48. Withdrawal or Postponement of Questions—A member may by notice, given at any time before the meeting for which his question has been placed on the list, withdraw his question, or make a request to postpone it to a later day to be specified in the notice, and on such later day the question shall be placed on the list after the questions tabled for that day:

Provided that a postponed question shall not be placed on the list until two clear days have expired from the time when the notice of postponement has been received by the Secretary.

49. Written Answers to Questions not replied orally—If a short notice or starred question included in the list of questions on any day is not answered because of the absence of the member at the time the question is called or because it could not be taken up during the hour fixed for answering questions, the written reply to such questions shall be published as part of the proceedings of the day.

50. Copies of Answers to Questions—Every Minister shall cause as many copies as directed by the Speaker, of answers to questions relating to his department to be delivered to the Assembly Office before the commencement of the meeting for which they are meant.

51. Form and Contents of Questions—No question may be asked which does not satisfy the following conditions, namely:—

- (1) It must not bring in any name or statement not strictly necessary to make the question intelligible.
- (2) If it contains a statement the member asking the question must make himself responsible for the accuracy of the statement.
- (3) It must not contain arguments, inferences, ironical or offensive expressions or defamatory statements.
- (4) It must not ask for an expression of opinion or the solution of an abstract legal question or of a hypothetical proposition.
- (5) It must not refer to the character or conduct of any person except in his official or public capacity.
- (6) It must not be of excessive length.
- (7) It shall not repeat in the same session in substance questions already answered or to which an answer has been refused.
- (8) It shall not require information set forth in accessible documents or in ordinary works of reference.
- (9) It shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India.
- (10) It shall not refer to the conduct of any Judge or court of law having jurisdiction in any part of India in the exercise of his or its judicial function.
- (11) It shall not make or imply a charge of a personal character.
- (12) It shall not ask for information on trivial, vague and meaningless matters.

- (13) It shall not ordinarily seek information on matters of past history.
- (14) Except when a matter of principle is involved it shall not, as far as possible, relate to individual cases.
- (15) It shall not relate to day-to-day administration of local bodies or other semi-autonomous bodies. The Speaker may, however, allow questions which arise out of their relation with the Government or refer to breaches of law or rules or relate to important matters involving general welfare.
- (16) It shall not seek information about matters, which in their nature are secret, such as, decisions or proceedings of the Cabinet, advice given to the Chief Commissioner by law officers and other similar subjects.
- (17) It shall not ask about proceedings in a Committee which have not been placed before the House by a report from the Committee.
- (18) It shall not ask whether a statement in the press or of private individuals or of non-official body is accurate.
- (19) It shall not reflect on the character or conduct of those persons whose conduct may only be challenged on a substantive motion.
- (20) It shall not raise questions of policy too large to be dealt within the limits of an answer to a question.
- (21) It shall not relate to matters within the jurisdiction of the Speaker, except as provided in rule 53.
- (22) It shall not refer to debates in the current session.
- (23) It shall not criticise decisions of the Legislature.

52. *Restrictions on Supplementary Questions*—(1) The conditions specified in rule 51 relating to questions shall apply to supplementary questions arising out of oral answers to questions.

(2) The Speaker may disallow any supplementary question if in his opinion, it infringes the rules regarding questions or if a sufficient or reasonable number of supplementary questions have already been put in respect of the same question.

53. *Questions to the Speaker*—Questions to the Speaker shall be made by private notice. Such questions may either be answered by written reply or in his chamber.

54. *Question to Private Members*—A question may be addressed by a member to a private member, provided the subject matter of the question relates to some Bill, resolution or other matter connected with the business of the House for which that member is responsible and the procedure in regard to such questions shall as far as may be, the same, as that followed in the case of questions addressed to a Minister with such variations as the Speaker may consider necessary or convenient.

55. *Speaker to decide Admissibility of Questions*—(1) The Speaker shall decide whether a question or part thereof is or is not admissible under the rules and may disallow any question or part thereof which in his opinion is an abuse of the right of questioning, or calculated to obstruct or prejudicially affect the procedure of the House, or is in contravention of the rules. He may amend a question to bring it into conformity with the rules or may return a question for improvement.

(2) The decision of the Speaker as to the admissibility or inadmissibility of a question or a supplementary question shall be final.

56. *Power of the Speaker to Change Class of Question*—The Speaker may convert a short notice question into a starred or unstarred question and a starred question into an unstarred question, if considered necessary and expedient to facilitate the disposal of business of the House.

57. *List of Questions*—Questions which have not been disallowed, shall be entered in the list of questions for the day for oral or written answer, as the case may be, in accordance with the orders of the Speaker.

58. *Order in which Questions shall be called*—Questions for oral answers shall be called in the order in which they stand in the list.

59. *Questions how put*—Questions shall be put in such manner as the Speaker may in his discretion determine.

60. *Manner of Answering Questions*—(1) Answers to questions shall be relevant to the subject matter of questions and shall be given in such manner as the Speaker may, in his discretion, determine. Answers may take the form of laying statements on the table of the Assembly.

(2) A question shall be replied on the date on which it is listed. If the information required by the member is not available, the Minister shall state the position accordingly, and the Speaker may then allow such further time as he may, under the circumstances, deem proper.

(3) If the Minister is of opinion that the information required by a member cannot be given in public interest, he will say so. The refusal of a Minister to supply the information on this ground cannot be raised as a matter of privilege nor can a motion for adjournment of the House be brought on this ground.

61. *Questions and Answers to be entered in the Proceedings of the Assembly*—All questions asked and answers given shall be entered in the proceedings of the Assembly.

Provided that a question which has been disallowed may not be so entered.

62. *Discussion on matters arising out of Questions and Answers*—(1) The Speaker shall allot half an hour after the termination of a meeting of the Assembly once a week, for raising discussion on a matter of sufficient public importance which has been the subject of a question and answer in the House:

Provided that if the business set down for that day is concluded earlier than the scheduled time, the period of half an hour discussion may be extended by the Speaker up to the scheduled time of termination of the meeting of the Assembly.

(2) A member wishing to raise such a matter shall give notice in writing to the Secretary three clear days in advance of the day on which the matter is desired to be raised, and shall briefly specify the point or points that he wishes to raise:

Provided that the notice shall be accompanied by an explanatory note stating the reasons for raising discussion on the matter in question:

Provided further that the Speaker may, with the consent of the Minister concerned, waive the requirement concerning the period of notice:

Provided further that the notice shall be supported by the signatures of one more member.

(3) If necessary, two notices may be taken up at one sitting. If more than two notices have been received and admitted by the Speaker, the Speaker shall decide which two of them are to be taken up:

Provided that if any matter put down for discussion on a particular day is not disposed of on that day it shall not be set down for any further day.

(4) The Speaker shall decide whether the matter is of sufficient public importance to be put down for discussion and his decision shall be final.

(5) There shall be no formal motion before the House nor voting. The member who has given notice will introduce the subject in a short statement. The Minister concerned will give a short reply. The Speaker may then permit other members to put questions or to express opinion. The member introducing the subject may be permitted to speak a second time to make a reply and the discussion will end with the final remarks of the Minister concerned.

63. *Prohibition of Publicity of Questions and Answers in advance*—Questions of which notice has been given by members and answers to questions which Ministers propose to give in the House shall not be released for publication until the questions are taken up and answers are given on the floor of the House or laid on the table.

64. *Prohibition of Discussion*—No discussion shall be permitted at question time in respect of any question or of any answer given to a question.

CHAPTER X

Motion for Adjournment on a Matter of Urgent Public Importance

65. *Motion for Adjournment*—(1) A motion for an adjournment of the business of the House for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the Speaker.

(2) The Speaker shall decide whether the matter to be discussed is definite and whether it is of urgent public importance.

66. *Method of giving Notice*—Notice of an adjournment motion shall be given in triplicate at least half an hour before the commencement of the sitting on the day on which the motion is proposed to be made. The Secretary shall forthwith send one copy each of the notice to:—

- (i) the Speaker, and
- (ii) the Minister concerned,

67. *Restrictions on Right to make Motion*—The right to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance shall be subject to the following restrictions, namely—

- (i) not more than one such motion shall be admitted and discussed at the same sitting;
- (ii) not more than one matter shall be discussed on the same motion;
- (iii) the motion shall be restricted to a specific matter of recent occurrence;
- (iv) the motion shall not raise a question of privilege;
- (v) the motion shall not review discussion on a matter which has been discussed on an adjournment or otherwise in the same session;
- (vi) the motion shall not anticipate a matter which has been previously fixed for consideration, or with reference to which a notice of motion has been previously given. In determining whether a discussion is out of order on the ground of anticipation, the Speaker shall take into consideration the probability of the matter anticipated being brought before the Assembly within a reasonable time;
- (vii) the motion shall not deal with a matter on which a resolution could not be moved, and
- (viii) the motion shall not deal with any matter which is under adjudication by a court of law having jurisdiction in any part of India.

68. *Mode of asking for leave to move Adjournment Motion*—(1) The Speaker shall take up motion after the questions and before the list of business is entered upon and if he holds that the matter proposed is in order and gives his consent under rule 65, he shall call the member concerned, who shall rise in his place and ask for leave to move the adjournment of the House.

(2) If the Speaker is of opinion that the matter proposed to be discussed is not in order or has refused his consent under rule 65, he may read the notice of motion and state the reasons for holding the motion as not being in order or for refusing his consent.

(3) If objection to leave being granted is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their places, and if not less than one-sixth of the total number of members of the House for the time being rise accordingly, the Speaker shall intimate that leave is granted. If less than the required number of members rise the Speaker shall inform the member that he has not the leave of the House.

69. *Time for taking up Motion*—If leave to make such a motion is granted, the motion shall be taken up an hour before the time fixed for the usual termination of the business of the day, or if the Speaker so directs, at any earlier hour at which the business of the day may terminate.

70. *Limitation of time for Discussion*—(1) The debate on a motion to discuss a matter of urgent public importance, if not earlier concluded, shall automatically terminate on the expiration of two hours from the time when the discussion began and thereafter no question shall be put.

(2) No speech during such debate shall exceed 15 minutes in duration except within the permission of the Speaker.

CHAPTER XI

Resolutions

71. *Subject Matter of Resolution*—Subject to the provisions of these rules, any member may move a resolution relating to a matter of general public interest.

72. *Form of Resolution*—A resolution may be in the form of a declaration of opinion by the Assembly.

73. *Conditions of Admissibility of Resolutions*—In order that a resolution may be admissible, it shall satisfy the following conditions, namely—

- (i) it shall be clearly and precisely expressed;
- (ii) it shall raise substantially one definite issue;
- (iii) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements;
- (iv) it shall not refer to the conduct or character of persons except in their official or public capacity; and
- (v) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India.

74. *Admissibility of Resolutions*—(1) The Speaker shall decide on the admissibility of a resolution and disallow any resolution or a part thereof when in his opinion it is in contravention of the rules, provided that he may, in his discretion, amend it in form or give the member concerned an opportunity of amending it.

(2) The Secretary shall give intimation to the member that his resolution has been admitted or admitted as amended or disallowed for any specified reasons, as the case may be.

75. *Notice of Resolutions by Private Members*—(1) A private member who wishes to move a resolution shall give not less than twelve day's notice to the Secretary of his intention and shall together with the notice, submit a copy of the resolution which he wishes to move:

Provided that the Speaker with the consent of the Minister-in-charge of the department concerned may allow a resolution to be entered in the list of business with shorter notice than twelve days.

(2) A copy of the resolution, if admitted by the Speaker, shall be sent to the Government nine days before the date for its discussion.

76. *Precedence of Private Members' Resolutions*—(1) The relative precedence of notices of resolutions given by private members shall be determined by ballot, to be held in accordance with the directions given by the Speaker, on such day, not being less than ten days before the day with reference to which the ballot is held, as the Speaker may appoint.

(2) Unless the Speaker otherwise directs, not more than five resolutions (in addition to any resolution which is outstanding under the proviso to rule 34) shall be set down in the list of business for any day allotted for the disposal of private members' resolutions.

77. *Notice of Resolution by Government*—If the Government desire to move a resolution they shall give seven days' notice and shall along with it supply a copy of the resolution to the Secretary, who shall have its copies sent to members within forty-eight hours of its receipt:

Provided that the Speaker may allow a shorter notice.

78. *Moving of Resolution*—(1) A member in whose name a resolution appears on the list of business may, when called on—

- (a) either move the resolution, in which case he shall commence his speech by a formal motion in the terms appearing on the list of business, or
- (b) decline to move the resolution, in which case he shall confine himself to a mere statement to that effect:

Provided that the Speaker in his discretion may allow the member to make a brief statement as to why he does not propose to move the resolution.

(2) If the member when called on is absent, any other member authorised by him in writing in this behalf, may, with the permission of the Speaker, move the resolution standing in his name.

79. *Amendments*—When a resolution is under discussion any member may, subject to the rules relating to resolutions, move an amendment to such resolution:

Provided that an amendment may not be moved which, if carried, would have merely the effect of a negative vote.

80. *Notice of Amendments*—(1) If notice of such amendment has not been given two days before the day on which the resolution is moved, any member may object to the moving of the amendment, and such objection shall prevail unless the Speaker allows the amendment to be moved.

(2) The Secretary shall, if time permits, make available to members from time to time, lists of amendments of which notices have been given.

81. *Time limit of Speeches*—No speech on a resolution, except with the permission of the Speaker, shall exceed fifteen minutes in duration:

Provided that the mover of a resolution, when moving the same and the Minister concerned when speaking for the first time, may speak for thirty minutes or for such longer time as the Speaker may permit.

82. *Scope of Discussion*—The discussion of a resolution shall be strictly relevant to and within the scope of the resolution.

83. *Withdrawal of Resolution and Amendment*—(1) A member in whose name a resolution stands on the list

of business may, when called on, withdraw the resolution in which case he shall confine himself to a mere statement to that effect.

(2) A member who has moved a resolution or amendment to a resolution shall not withdraw the same except by leave of the House.

(3) No discussion shall be permitted on a motion for leave to withdraw, except with the permission of the Speaker.

84. *Splitting of Resolution*—When any resolution or amendment thereto involving several points has been discussed it shall be in the discretion of the Speaker to divide the resolution or the amendment and put each or any point separately to the vote as he may think fit.

85. *Repetition of Resolution*—When a resolution has been moved, no resolution or amendment raising substantially the same question shall be moved within six months from the date of the moving of the earlier resolution.

86. *Copy of Resolution passed to be sent to Government*—A copy of every resolution, which has been passed by the House, shall be forwarded to the Government.

CHAPTER XII

Motions

87. *Discussion on a matter of Public Interest by Motion*—Save in so far as is otherwise provided by the Constitution or by these rules, no discussion of a matter of general public interest shall take place except on a motion made with the consent of the Speaker.

88. *Notice of a Motion*—Notice of a motion shall be given in writing addressed to the Secretary.

89. *Conditions of Admissibility of a Motion*—In order that a motion may be admissible it shall satisfy the following conditions, namely, that—

- (i) it shall raise substantially one definite issue;
- (ii) it shall not contain arguments, inferences, ironical expressions, imputations or defamatory statements;
- (iii) it shall not refer to the conduct or character of persons except in their public capacity;
- (iv) it shall not raise a question of privilege;
- (v) it shall not review discussion of a matter which has been discussed in the same session; save as provided in rule 93;
- (vi) it shall not anticipate discussion of a matter which is likely to be discussed in the same session;
- (vii) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India.

90. *Speaker to decide Admissibility of a Motion*—The Speaker shall decide on the admissibility of a motion and may disallow a motion or a part thereof.

91. *Allotment of time and discussion of Motions*—The Speaker may after considering the state of business in the House and in consultation with the Leader of the House allot a day, or days or part of a day for the discussion of any such motion.

92. *Motions without Notice*—The following motions may be made, if the Speaker permits, without notice:—

- (i) Motion for congratulation or condolence.
- (ii) Motion for adjournment of a meeting.
- (iii) Motion for the withdrawal of strangers.
- (iv) Motions for electing members to Committees other than those for which notice is prescribed under these rules.
- (v) Motion for the withdrawal of a motion or an amendment to a motion.
- (vi) Motion for postponement of any business.
- (vii) Motion for closure of debate.
- (viii) Motion for suspension of a rule.
- (ix) Motion to extend duration of a meeting.

93. *A Motion shall not raise a Question already decided*—A motion shall not raise a question substantially identical with one on which the Assembly has given its decision in the same session:

Provided that nothing herein contained shall, unless the Speaker in any case otherwise directs, be deemed to

prevent the making of any of the following motions, namely:—

(a) A motion for taking into consideration or the reference to a Select Committee of a Bill where an amendment has been carried to a previous motion of the same kind to the effect that the Bill be circulated or re-circulated for obtaining opinion thereon.

(b) A motion made after return of Bill by the President for reconsideration of the Assembly or for an amendment relevant to the point or points referred for reconsideration.

(c) A motion for the amendment of a Bill which is consequential on or designed merely to alter the drafting of another amendment which has been carried.

94. *Motion for postponement of Business*—(1) A motion that consideration of a Bill, other than an Appropriation Bill under section 30 of the Act, which has been introduced or of a motion other than a motion for adjournment, or of a resolution, be adjourned to any future day in the same session available for such business or to any future session *sine die*, may be made by any member at any time, and such motion shall take precedence of any other motion then before the Assembly. The Speaker after permitting a brief explanatory statement from the mover and from the member opposing, if the motion is opposed, may without further debate, put the question thereon.

(2) If a motion for the adjournment of private members' business to a specified day is carried the adjourned business shall have priority over the private members' business fixed for that day.

(3) The Speaker may disallow such motion for the adjournment of business if it has, in his opinion, been made for the purpose of obstructing the business of the Assembly or for securing the adjournment of the meeting.

95. *Amendment which may be Admissible*—(1) An amendment must be relevant to the subject matter of the motion to which it is proposed.

(2) An amendment may not be moved which, if carried, would have merely the effect of a negative vote.

(3) After a decision has been given on an amendment to any part of a motion an earlier part shall not be amended.

(4) No amendment may be proposed which is inconsistent with a previous decision on the same subject matter given at the same stage of any Bill or motion.

(5) The Speaker may at any stage disallow an amendment or refuse to put an amendment which in his opinion is frivolous.

96. *Amendment how put*—(1) When an amendment is moved, or when two or more amendments are moved, the Speaker shall, before putting the question thereon, state or read to the House the terms of the original motion.

(2) It shall be in the discretion of the Speaker to put first to the vote either the original motion or any of the amendments which may have been brought forward.

97. *Withdrawal of Motions*—(1) The member who has moved a motion or an amendment to a motion shall not withdraw the same except by leave of the Assembly.

Provided that if the notice of the same motion or amendment has been given by another member, it shall not be allowed to be withdrawn, if such other member objects to the withdrawal.

(2) Leave to withdraw the motion may be asked for at any time before the question is put.

(3) No discussion shall be permitted on a motion for leave to withdraw except with the permission of the Speaker.

(4) If leave is granted to a member to withdraw his motion, the amendments, if any, which have been proposed to the motion shall be deemed to have been withdrawn.

CHAPTER XIII

No-confidence Motions

98. *No-Confidence Motion against Speaker and Deputy Speaker*—Any resolution to remove the Speaker or the Deputy Speaker from office, of which the required notice of fourteen days has been received, shall be read to the Assembly by the Speaker. He shall then request those members who are in favour of leave being granted to move the resolution to rise in their places and if not less

than 1/5th of the total number of members rise accordingly, the Speaker shall allow the resolution to be moved. If less than 1/5th of the total number of members rise, the Speaker shall inform the intending mover thereof that he has not the leave of the House to move it.

99. *No-Confidence Motion against the Council of Ministers or a Minister*—(1) A motion expressing want of confidence in the Council of Ministers or a Minister or a motion disapproving the policy of the Council of Ministers or a Minister in a particular respect may be made with the consent of the Speaker subject to the following restrictions, namely—

- (a) the member asking for leave must, before the commencement of the sitting of the day, leave with the Secretary a written notice of the motion which he proposes to make, and
- (b) leave to make the motion must be asked for after questions and before the list of business for the day is entered upon.

(2) If the Speaker is of opinion that the motion is in order, he shall read the motion to the House and shall request those members who are in favour of leave being granted to rise in their places, and, if not less than 1/5th of the total number of members rise accordingly the Speaker shall intimate that leave is granted and that the motion will be taken on such day, not being less than ten and not more than fifteen days from the day on which leave is asked, as he may appoint. If less than 1/5th of the total number of members rise, the Speaker shall inform the member that he has not the leave of the House.

100. *Statement by Minister in Explanation of his Resignation*—(1) A member who has resigned the office of Minister shall have the right, with the consent of the Speaker, to make a personal statement in explanation of his resignation at the earliest possible opportunity.

(2) Such statement shall be made after questions and before the list of business for the day is entered upon.

(3) There shall be no debate on such statement, but after it has been made, a Minister may make a statement pertinent thereto.

CHAPTER XIV

Questions of Privilege

101. *Question of Privilege*—Subject to the provisions of these rules, a member may, with the consent of the Speaker, raise a question involving a breach of privilege either of a member, or of the Assembly, or of a Committee thereof:

Provided that if the breach is committed in actual view of the House, the House may take action without any complaint.

102. *Notice of Question of Privilege*—A member wishing to raise a question of privilege shall give notice in writing to the Secretary at least one hour before the commencement of the sitting on the day the question is proposed to be raised.

103. *Restrictions on right to raise Questions of Privilege*—The right to raise a question of privilege shall be subject to the following restrictions:—

- (i) not more than one question shall be raised at the same sitting;
- (ii) the question shall be restricted to a specific matter of recent occurrence.

104. *Mode of Raising Question of Privilege*—(1) The Speaker, if he gives consent under rule 101 and holds that the matter proposed to be discussed is in order, shall, after the questions and before the list of business is entered upon, call the member concerned, who shall rise in his seat and, while asking for leave to raise the question of privilege, make a short statement relevant thereto:

Provided that where the Speaker has refused his consent under rule 101 or is of opinion that the matter proposed to be discussed is not in order, he may, if he thinks it necessary, read the notice of question of privilege and state that he refuses consent or holds that the notice of question of privilege is not in order:

Provided further that the Speaker may, if he is satisfied about the urgency of the matter, allow a question of privilege to be raised at any time during the course of a sitting after the disposal of questions.

(2) After the member has asked for leave of the Assembly to raise the question of privilege, the Speaker

shall ask whether the member has the leave of the Assembly. If objection is taken, the Speaker shall request those members who are in favour of leave being granted to rise in their seats, and if eight members rise accordingly, the Speaker shall intimate that leave is granted. If less than eight members rise, the Speaker shall inform the member that he has not the leave of the Assembly.

105. *Speaker to Refer the Matter to the Committee of Privileges*—If leave under rule 104 is granted, the matter shall be referred to the Committee of Privileges for report within a period to be specified, unless the Speaker is of opinion that the matter is such as may be disposed of by the House without reference to the Committee, in which case the member making the complaint shall make a motion that the matter be taken into consideration forthwith or at some future time.

106. *Committee of Privileges*—(1) At the commencement of each session of the Assembly, the Speaker shall nominate from amongst the members of the Assembly, a Committee of Privileges consisting of not less than 5 and not more than 7 members including the Deputy Speaker who shall be its Chairman. The members of the Committee shall hold office until a new committee is nominated.

(2) If the Chairman of the Committee is unable to act, the Speaker may nominate another member to act as Chairman of the Committee; but if the Chairman is absent from any meeting of the Committee, the Committee shall elect a Chairman of the meeting from amongst its members.

(3) The Speaker may, if he thinks fit, discharge a member from the Committee, if such member is absent from two or more consecutive meetings thereof, without the permission of the Chairman of the Committee:

Provided that no member shall be liable to be discharged under this rule if he is disabled from attending the meeting of the Committee under rule 111.

107. *Quorum of Committee*—The quorum of the Committee shall be three.

108. *Examination of the Question by Committee*—The Committee shall examine every question referred to it and determine with reference to the facts of each case whether a breach of privilege is involved, and if so, the nature of the breach, the circumstances leading to it, and make such recommendations as it may deem fit.

109. *Evidence before Committee of Privileges*—(1) The Committee shall have power to require the attendance of persons or the production of papers or records, if such a course is considered necessary for the discharge of its duties:

Provided that Government may decline to produce a document on the ground that its disclosure would be prejudicial to the safety or interest of the State.

(2) Subject to the provisions of this rule, a witness or the party charged may be summoned by an order signed by the Chairman and he shall produce such documents as may be required for the use of the Committee.

(3) It shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential.

(4) The Committee may also, in appropriate cases, allow parties to be represented by counsel before it.

110. *Sittings of Committee of Privileges*—(1) As soon as may be after a question of privilege has been referred to the Committee of Privileges, the Committee shall meet from time to time and shall make a report within the time fixed by the Assembly or the Speaker, as the case may be.

(2) Report may be either preliminary or final.

(3) If any member of the Committee desires to record a minute of dissent on any matter, he shall sign the report stating that he does so subject to a minute of dissent, and shall at the same time hand in his minute.

111. *Disabilities of Members of Committee*—The complaining member or the member complained against, if he be a member of the Committee shall not sit on the Committee so long as the matter complained by or against him, as the case may be, is under consideration before the Committee.

112. *Presentation of Report*—The report of the Committee of Privileges shall be presented to the Assembly by the Chairman or in his absence by any member of the Committee.

113. *Consideration of Report*—As soon as may be, after the report has been presented, the Chairman or any member of the Committee shall move that the report be taken into consideration.

114. *Amendments*—Any member may give notice of an amendment to the motion for consideration of the report

referred to in rule 113 in such form as may be considered appropriate by the Speaker:

Provided that an amendment may be moved that the question be recommitted to the Committee either without limitation or with reference to any particular matter.

115. *Opportunity to Person Charged*—Except where the breach of privilege is committed in the actual view of the House, the House before arriving at a final decision in the matter, shall give an opportunity to the person charged to be heard in explanation or exculpation of the offence complained against him:

Provided that if the matter has been referred to the Privileges Committee and the person charged has been heard before the Committee, it will not be necessary for the House to give him that opportunity unless the House directs otherwise.

116. *Summoning the Party Charged*—The Speaker may summon the party charged by notice or warrant to appear before the House at any stage of the proceedings.

117. *Complaint Against a Member*—(1) Where the complaint is to be made against a member, the member should be given prior notice by the complainant. In case no prior notice has been given, the House may adjourn the consideration of the matter till notice is given to the member concerned or it may decline to entertain the complaint. The member complained against shall attend the House on the day fixed by the House or proposed by the complainant, as the case may be, if he is unable to attend, the House may further postpone the consideration of the matter; but if he wilfully absents himself, the House may proceed with the matter in his absence.

(2) The member complained against shall be given an opportunity to be heard in explanation or exculpation.

118. *Withdrawal of Member Concerned*—The member complained against shall withdraw from the House after he is heard in explanation or exculpation and shall not enter the House as long as the matter complained against him is under consideration. The House, however, will have the power to let him remain in the House or recall him for the purpose of giving him an opportunity of fully understanding the allegations against him or to offer any further explanation or apology.

119. *Regulation of Procedure*—The Speaker may issue such directions as he may consider necessary for regulating the procedure in connection with all matters connected with the consideration of the question of privileges either in the Committee or in the Assembly.

120. *Power of Speaker to Refer Questions of Privilege to Committee*—Notwithstanding anything contained in these rules the Speaker may refer any question of privilege to the Committee of Privileges for examination, investigation or report.

CHAPTER XV

Legislation

121. *Notice of Motion for Leave to Introduce a Bill*—(1) A member desiring to move for leave to introduce a Bill, shall give notice of his intention, and shall, together with the notice, submit a copy of the Bill and an explanatory Statement of Objects and Reasons.

(2) The Statement of Objects and Reasons shall be brief and shall not contain any offensive, defamatory or irrelevant matter or any argument. The Speaker may, if he thinks fit, revise the Statement of Objects and Reasons.

(3) The period of notice of a motion for leave to introduce a Bill under this rule shall be fifteen days unless the Speaker allows the motion to be made at a shorter notice.

(4) When a private member of the Assembly gives notice of his intention to move for leave to introduce a Bill, the Secretary shall forthwith send three copies of the Bill together with three copies of the Statement of Objects and Reasons to the Law and Judicial Department.

(5) The provisions of sub-rule (4) shall, as far as may be, apply to all amendments, notice of which is given by a private member of the Assembly.

(6) If Government desire to move an amendment, which under the Constitution or under the Act cannot be moved without the previous sanction of the President or recommendation of the Chief Commissioner, they shall annex to the required notice a copy of such sanction or recommendation and the notice shall not be valid until this requirement is complied with.

(7) If notice is given by a private member of a motion to introduce a Bill or to move any amendment which cannot be introduced or moved, save with the previous sanction of the President or the recommendation of the

Chief Commissioner, such motion or amendment shall not be placed on the list of business the required sanction or recommendation, as the case may be, is received.

122. *Motion for Leave to Introduce Bills*—If a motion for leave to introduce a Bill is opposed, the Speaker, after permitting, if he thinks fit, a brief explanatory statement from the member who moves and from the member who opposes the motion, may put the question without further debate. If leave to introduce the Bill is granted, the mover shall forthwith introduce the Bill.

123. *Publication of Bills*—As soon as may be after a Bill has been introduced, the Bill together with the Statement of Objects and Reasons shall be published in the Gazette:

Provided that the Chief Commissioner may order publication of any Bill together with the Statement of Objects and Reasons accompanying it and the previous sanction or the recommendation of the President or the Chief Commissioner, if necessary, in the Gazette, although no motion has been made for leave to introduce the Bill. In that case it shall not be necessary to move for leave and if the Bill is afterwards introduced, it shall not be necessary to publish it again.

124. *Precedence of Private Members' Bills*—(1) The relative precedence of notices of Bills given by private members shall be determined by ballot, to be held in accordance with the directions given by the Speaker, on such day, not being less than twelve days before the day with reference to which the ballot is held, as the Speaker may appoint.

(2) On a day allotted for the disposal of private members' Bills, Bills which have already been introduced by private members shall have priority over all other business, provided that any notice required by these rules has been given and such Bills shall have relative precedence in the following order, namely:

- (a) Bills returned by the President with a message under sub-section (2) of section 26 of the Act;
- (b) Bills in respect of which a motion has been made that the Bill be passed;
- (c) Bills in respect of which a motion has been carried that the Bill be taken into consideration;
- (d) Bills in respect of which the report of a Select Committee has been presented;
- (e) Bills which have been circulated for the purpose of eliciting opinion;
- (f) Bills introduced and in respect of which no further motion has been made or carried.

(3) The relative precedence of Bills falling under the same clause of sub-rule (2) shall be determined by ballot to be held at such time and in such manner as the Speaker may direct.

125. *Motions after Introduction*—When a Bill is introduced, or on some subsequent occasion, the member-in-charge of the Bill may make one of the following motions in regard to his bill, namely:—

- (a) that it be taken into consideration by the Assembly either at once or at some future day to be then specified, or
- (b) that it be referred to a Select Committee, or
- (c) that it be circulated for the purpose of eliciting opinion thereon:

Provided that no such motion shall be made until after copies of the Bill have been made available for the use of members, and that any member may object to any such motion being made unless copies of the Bill have been so made available for three days before the motion is made and such objection shall prevail unless the Speaker allows the motion to be made.

126. *Discussion of Principles of Bills*—(1) On the day on which any motion referred to in rule 125 is made, or on any subsequent day to which the discussion is postponed, the principles of the Bills, and its general provisions may be discussed, but the details of the Bill shall not be discussed further than is necessary to explain its principles.

(2) At this stage no amendments to the Bill may be moved but if the member-in-charge moves that the Bill—

- (a) be taken into consideration, any member may move as an amendment that the Bill be referred to a Select Committee or be circulated for the purpose of eliciting opinion thereon by a date to be mentioned in the motion, or
- (b) be referred to a Select Committee, any member may move as an amendment that the Bill be circulated for the purpose of eliciting opinion thereon by a date to be specified in the motion.

(3) Where a motion that a Bill be circulated for the purpose of eliciting opinion thereon is carried in the Assembly and the Bill is circulated in accordance with that direction and opinions have been received thereon by the date mentioned in the motion, the member-in-charge, if he wishes to proceed with his Bill thereafter, shall move that the Bill be referred to a Select Committee unless the Speaker allows the motion to be made that the Bill be taken into consideration.

127. *Persons by whom Motions in respect of Bills may be made*—No motion that a Bill be taken into consideration or be passed shall be made by any member other than the member-in-charge of the Bill, and no motion that a Bill be referred to a Select Committee or be circulated or recirculated for the purpose of eliciting opinion thereon, shall be made by any member other than the member-in-charge, except by way of amendment to a motion made by the member-in-charge of the Bill.

128. *Composition of Select Committee*—(1) The Minister-in-charge of the department to which the Bill relates and the member who introduces the Bill, shall be members of every Select Committee.

(2) The other members of the Committee whose number shall be six, save when the Bill is introduced by a private member when the number of members shall be five, shall be named by the Assembly when the motion that the Bill be referred is made or at any subsequent meeting. In case election is necessary, it shall be held according to the principle of proportional representation by means of the single transferable vote.

129. *Procedure of Select Committee*—(1) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee:

Provided that where the Deputy Speaker is a member of the Committee, he shall be appointed Chairman of the Committee.

(2) If the Chairman is for any reason unable to act, the Speaker may similarly appoint another Chairman in his place.

(3) If the Chairman is absent from any meeting, the Committee shall choose another member to act as Chairman for that meeting.

(4) The Chairman shall convene the meetings of the Select Committee after the Bill has been referred to it and shall be responsible for the preparation of the report.

(5) A Select Committee may call for any papers or other evidence it considers necessary.

(6) The necessary papers on which the Bill is based shall be supplied on demand by the members.

(7) No business shall be transacted at any sitting of a Select Committee unless one half of the members of the Committee are present.

(8) The discussions of a Select Committee shall not be disclosed by any member nor shall any reference to such discussion be made in the Assembly.

130. *Report by Select Committee*—The Select Committee shall in its report mention the date on which the Bill was published in the Gazette and shall also state whether or not in its judgement the Bill has been so altered as to require re-publication.

131. *Minute of Dissent*—(1) If any member of a Select Committee desires to record a minute of dissent on any point, he must sign the majority report, stating that he does so subject to his dissent, and must hand in his minute within reasonable time to be fixed by the Chairman.

(2) A member who has not been present even at a single meeting of the Committee shall not be asked to sign the report, nor have the right of recording a minute of dissent.

132. *Printing and Publication of Report*—The Secretary shall cause the report of the Select Committee to be published in the Gazette, along with the amending Bill, if the Select Committee recommended re-publication, and shall have a copy of the printed report made available to every member.

133. *Presentation of Report*—The report of the Select Committee on a Bill shall be presented to the Assembly by the member-in-charge of the Bill, who if he makes any remarks in presenting the report, shall confine himself to a brief statement of the amendments made by the Select Committee.

134. *Motion that may be Moved after Presentation of the Report of a Select Committee*—(1) After the presentation of the report of a Select Committee on a Bill, the member-in-charge of the Bill may move—

(a) that the Bill as reported by the Select Committee be taken into consideration, but any member may

object to its being so taken into consideration if a copy of the report has not been made available for the use of the members for three days, and such objection shall prevail, unless the speaker allows the report to be taken into consideration;

(b) that the Bill as reported by the Select Committee be recommitted either (i) without limitation or (ii) with respect to particular clauses or amendments only, or (iii) with instructions to the Select Committee to make some particular or an additional provision in the Bill.

(2) If the member-in-charge of the Bill moves that the Bill as reported by the Committee be taken into consideration, any member may move as an amendment that the Bill be recommitted to the Committee.

135. *Scope of Debate on Report of Select Committee*—There shall be no debate on any motion or amendment at this stage except that the member making the motion or moving the amendment and the member opposing may be allowed to make brief statements and then the question or questions, as the case may be, shall be put.

136. *Proposal of Amendments*—When a motion that a Bill be taken into consideration has been agreed to by the Assembly any member may propose an amendment to the Bill.

137. *Notice of Amendments*—(1) If a notice of a proposed amendment has not been delivered to the Secretary two days before the meeting of the Assembly at which the Bill is to be considered, any member may object to the moving of the amendment, and such objection shall prevail unless the Speaker allows the amendment to be moved:

Provided that previous notice shall not be necessary in the case of amendments of a purely verbal character or of amendments consequential upon or moved in respect of amendments which have been carried.

(2) The Secretary shall, if time permits, make available to members from time to time lists of amendments of which notices have been received.

138. *Mode of Moving Amendments*—When a motion that a Bill be taken into consideration has been carried, any member, when called upon by the Speaker, may move an amendment to the Bill, of which he has previously given notice.

139. *Conditions of Admissibility of Amendments*—The following conditions shall govern the admissibility of amendments:—

- (i) An amendment shall be within the scope of the Bill and relevant to the subject matter of the clause to which it relates.
- (ii) An amendment shall not be inconsistent with any previous decision of the House on the same question.
- (iii) An amendment shall not be such as to make the clause which it proposes to amend unintelligible or ungrammatical.
- (iv) If an amendment refers to, or is not intelligible without, a subsequent amendment or schedule, notice of the subsequent amendment or schedule shall be given before the first amendment is moved, so as to make the series of amendments intelligible as a whole:

Provided that in order to save time and repetition of arguments, a single discussion may be allowed to cover a series of inter-dependent amendments.

(v) The Speaker shall determine the place in which an amendment shall be moved.

(vi) The Speaker may refuse to propose an amendment which, in his opinion, is frivolous or meaningless.

(vii) An amendment may be moved to an amendment which has already been proposed by the Speaker.

140. *Order of Amendments*—Amendments shall ordinarily be considered in the order of the clauses of the Bill to which they respectively relate; and in respect of any such clause a motion shall be deemed to have been:

“That this clause stands part of the Bill”.

141. *Withdrawal of Amendments*—An amendment moved may, by leave of the House, but not otherwise, be withdrawn, on the request of the member moving it. If an amendment has been proposed to an amendment, the original amendment shall not be withdrawn until the amendment proposed to it has been disposed of.

142. *Submission of Bills Clause by Clause*—Notwithstanding anything in these rules it shall be in the discretion of the Speaker, when a motion that a Bill be taken

into consideration has been carried, to submit the Bill or any part of the Bill, to the Assembly clause by clause. When this procedure is adopted the Speaker shall call each clause separately, and when the amendments relating to it have been dealt with shall put the question "that this clause, or as the case may be, this clause as amended, stand part of the Bill".

143. *Clause one, Preamble and Title of the Bill*—Clause one, the preamble, if any, and the title of a Bill shall stand postponed until the other clauses and schedules (including new clauses and new schedules) have been disposed of and the Speaker shall then put the question: "That clause one, or the preamble or the title (or, as the case may be that clause one, preamble or title, as amended) stand part of the Bill".

144. *Postponement of a Clause*—The Speaker may, if he thinks fit, postpone the consideration of a clause.

145. *Passing of Bills*—(1) When a motion that a Bill be taken into consideration has been carried and no amendment has been made in the Bill, the member-in-charge of the Bill may at once move that the Bill be passed and the question shall be put without any debate.

(2) If an amendment is made in the Bill, any member may move a motion being made on the same day that the Bill be passed, and such objection shall prevail unless the Speaker allows the motion to be made.

(3) Where the objection prevails, a motion that the Bill be passed may be brought forward on any future day.

(4) To such a motion no amendment may be moved except with the permission of the Speaker.

146. *Scope of Debate*—The discussion on a motion that the Bill be passed shall be confined to the submission of arguments either in support of the Bill or for the rejection of the Bill. In making his speech a member shall not refer to the details of the Bill further than is necessary for the purpose of his arguments which shall be of a general character.

147. *Authentication of Bills*—When a Bill is passed by the Assembly the Secretary shall re-number the clauses, revise and complete the marginal notes thereof, make such purely formal, verbal or consequential amendments therein as may be required and correct such errors as may appear to him to be due to inadvertence.

The Secretary shall then submit two copies of the Bill to the Speaker and they shall, if approved as correct, be signed by him.

148. *Assent to Bill and Publication of Bill as Act*—When a Bill has been signed by the Speaker under rule 147, it shall be submitted to the Chief Commissioner for President's assent. After the President's assent has been given, it shall be published in the Gazette as an Act of the Ajmer Legislative Assembly assented to by the President.

149. *Note of Verbal Amendments*—Along with the signed copy under rule 147 a note showing the verbal and consequential amendments or rectification of errors made in the Bill, shall also be submitted to the Chief Commissioner. A copy of these alterations shall be placed on the table of the Assembly prior to the announcement of the President's assent.

150. *Reconsideration of Bills returned by the President*—When a Bill which has been passed is returned by the President to the Assembly for reconsideration, the point or points referred for reconsideration or the amendments recommended shall be put before the Assembly by the Speaker, and shall be discussed and voted upon in the same manner as amendments to a Bill or in such way as the Speaker may consider most convenient for their consideration by the Assembly.

151. *Withdrawal of a Bill*—The member-in-charge of a Bill may at any stage of the Bill move for leave to withdraw the Bill and if such leave is granted no further motion shall be made with reference to the Bill.

152. *Dropped Bills*—Any Bill in respect of which no motion has been made in the Assembly for two years, may, by order of the Speaker, be removed from the list of business.

153. *Copy of Bill to the Chief Commissioner and the President*—A copy of every Bill introduced in the Assembly shall immediately after its introduction, be forwarded by the Secretary to the Chief Commissioner and the President for their information.

CHAPTER XVI Petitions on Bills

154. *Subject of Petitions*—Petitions relating to a Bill which has been published or which has been introduced

or in respect of which notice of a motion has been received under these rules, may be presented or submitted in accordance with these rules. Every petition shall be couched in respectful and temperate language.

155. *Authentication of Signatories to a Petition*—The full name and address of every signatory to a petition shall be set out therein and shall be authenticated by the signatory, if literate by his signature and if illiterate by his thumb impression.

156. *Countersignature*—Every petition shall, if presented by a member, be countersigned by him.

157. *Petition to whom to be Addressed and how to be Concluded*—Every petition shall be addressed to the Assembly and shall conclude with a prayer reciting the definite object of the petitioners in regard to the Bill to which it relates.

158. *Presentation of a Petition*—Any petition may be presented by a member, or be forwarded to the Secretary, in which latter case the fact shall be reported by him to the House, and no debate shall be permitted on the making of such report.

159. *Form of Presentation*—A member presenting a petition shall confine himself to a statement in the following form:

"I present a petition signed by petitioners regarding Bill"; and no debate shall be permitted on this statement.

160. *Constitution of Committee on Petitions*—(1) At the commencement of a session or from time to time, as the case may be, the Speaker shall nominate a Committee on Petitions consisting of not more than five members.

(2) A Committee nominated under sub-rule (1) shall hold office until a new Committee is nominated.

161. *Chairman of Committee on Petitions*—(1) The Chairman of the Committee shall be appointed by the Speaker from amongst the members of the Committee:

Provided that if the Deputy Speaker is a member of the Committee, he shall be appointed Chairman of the Committee.

(2) If the Chairman is for any reason unable to act, the Speaker may similarly appoint another Chairman in his place.

(3) If the Chairman is absent from any meeting, the Committee shall choose another member to act as Chairman for that meeting.

162. *Reference to Committee*—Every petition after presentation by a member or report by the Secretary, as the case may be, and any petition received when the Assembly is not in session, if so directed by the Speaker, shall be referred to the Committee.

163. *Examination and Circulation of Petitions*—(1) The Committee shall examine every petition referred to it, and if the petition complies with these rules, the Committee may in its discretion direct that it be circulated as a paper to the Bill to which it relates. Where circulation of the petition has not been directed the Speaker may at any time direct that the petition be circulated.

(2) Circulation of the petition shall be in extenso or of a summary thereof as the Committee, or the Speaker, as the case may be, may direct.

164. *Presentation of Report of Committee on Petitions*—(1) The Committee shall report to the House stating the subject matter of the petition, the number of persons by whom it is signed and whether it is in conformity with these rules, and also whether circulation has or has not been directed.

(2) The report of the Committee shall be signed by the Chairman on behalf of the Committee or in his absence by any member of the Committee.

CHAPTER XVII

General Rules of Procedure

165. *Rules to be Observed by Members while Present in the House*—Whilst the House is sitting, a member—

- (i) shall enter, sit in and leave the House with decorum and shall take and leave his seat after bowing to the Chair;
- (ii) shall not come in between the Chair and the member in possession of the floor of the House;
- (iii) shall not cross the floor of the House;
- (iv) shall not read any book, newspaper or letter except in connection with the business of the House;
- (v) shall not interrupt any member while speaking by disorderly expression or noises or in any other

way so as to disturb the smooth transaction of business.

166. *Member to speak when called by the Speaker*—When a rises to speak, his name shall be called by the Speaker. If more members than one rise at the same time, the member whose name is so called shall be entitled to speak.

167. *Mode of Addressing the House*—A member desiring to make any observations on any matter before the House shall speak from his place, shall rise when he speaks and shall address the Speaker:

Provided that a member disabled by sickness or infirmity may be permitted by the Speaker to speak sitting.

168. *Rules to be Observed while Speaking and Answering Questions*—(1) The matter of every speech must be strictly relevant to the matter before the Assembly.

(2) A member while speaking or answering a question shall not—

- (i) express any opinion or make any comment on any matter of fact on which a judicial decision is pending;
- (ii) make a personal charge against a member, save as provided in Chapter XIII;
- (iii) use offensive expressions about the conduct or proceedings of the Parliament or the Legislature of any State;
- (iv) reflect on any decision of the House except on a motion for rescinding it;
- (v) reflect upon the conduct of the President or any Rajpramukh or any Governor or any Lt. Governor or any Chief Commissioner or any court of justice;
- (vi) utter reasonable or defamatory words but he may with the permission of the Speaker quote them for the purposes of his arguments;
- (vii) use his right of speech for the purpose of obstructing the business of the Assembly;
- (viii) discuss any ruling, order or direction of the Speaker except on motion for the removal of the Speaker.

169. *Questions to be asked through the Speaker*—When for the purposes of explanation during discussion or for any other sufficient reason, any member has occasion to ask a question of another member on any matter then under the consideration of the Assembly he shall ask the question through the Speaker.

170. *Irrelevance or Repetition*—The Speaker after having called the attention of the Assembly to the conduct of a member who persists in irrelevance or in tedious repetition either of his own arguments or of the arguments used by other members in debate, may direct him to discontinue his speech.

171. *Personal Explanation*—A member may with the permission of the Speaker, make a personal explanation although there is no question before the House, but in this case no debatable matter may be brought forward, and no debate shall arise.

172. *Order of Speeches and Right of Reply*—(1) After the member who moves has spoken other members may speak on the motion in such order as the Speaker may call upon them. If any member who is so called upon does not speak, he shall not be entitled, except by the permission of the Speaker, to speak on the motion at any later stage of the debate.

(2) Except in the exercise of a right of reply or as otherwise provided by these rules, no member shall speak more than once on any motion, except with the permission of the Speaker.

(3) A member who has moved a substantive motion may speak again by way of reply, and if the motion is moved by a private member, the Minister concerned may, with the permission of the Speaker, speak (whether he has previously spoken in the debate or not) after the mover has replied:

Provided that nothing in this sub-rule shall be deemed to give any right of reply to the mover of an amendment to a Bill or a resolution save with the permission of the Speaker.

173. *Mover's Reply Concludes Debate*—Subject to the provision of rule 172(3), the reply of the mover of the original motion shall in all cases conclude the debate.

174. *Speaker to be heard in silence*—Whenever the Speaker rises he shall be heard in silence and any member who is then speaking or offering to speak shall immediately sit down.

(2) No member shall leave his seat while the Speaker is addressing the House.

175. *Duration of Speeches*—In cases not specifically provided for in these rules the Speaker may, having regard to the state of business before the Assembly and the nature of the motion, prescribe a time limit for speeches.

176. *Procedure for Obtaining Decision of the Assembly*—A matter requiring the decision of the Assembly shall be decided by means of a question put by the Speaker on a motion made by a member.

177. *Division*—(1) Votes may be taken by voices or by division and shall be taken by division if any member so desires:

Provided that the Speaker may if he considers it necessary avoid a division by taking votes by show of hands.

(2) The result of a division shall at once be announced by the Speaker and shall not be challenged.

178. *Closure*—(1) At any time after a motion has been made, any member may move, "That the question be now put", and, unless it appears to the Speaker that the motion is an abuse of these rules or an infringement of the right of reasonable debate the Speaker shall then put the motion: "That the question be now put".

(2) Where the motion: "That the question be now put" has been carried, the question or questions consequent thereon shall be put forthwith without further debate:

Provided that the Speaker may allow any member any right of reply which he may have under these rules.

179. *Power to Order Withdrawal of Members*—The Speaker may direct any member, whose conduct, in his opinion, is disorderly, to withdraw immediately from the House and the member so ordered to withdraw shall do so forthwith and shall absent himself during the remainder of the day's sitting.

180. *Suspension of a Member*—(1) The Speaker may, if he deems it necessary, name a member who disregards the authority of the Chair or abuses the rules of the House by persistently and wilfully obstructing the business thereof.

(2) If a member is so named by the Speaker, he shall forthwith put the question that the member (naming him) be suspended from the service of the House during the remainder of the session:

Provided that the House may, at any time, on a motion being made, resolve that such suspension be terminated.

(3) A member suspended under this rule shall forthwith quit the precincts of the House.

(4) The Speaker shall have full authority to carry out his order or the decision of the House and may employ, or authorise the employment of, necessary force, at any stage of the proceedings.

181. *Power of Speaker to Adjourn House or Suspend Sitting*—In the case of grave disorder arising in the House, the Speaker may, if he thinks it necessary to do so, adjourn the House or suspend any sitting for a time to be specified by him.

182. *Resignation of Seats in the House*—(1) A member who desires to resign his seat in the House shall intimate, in writing, under his hand addressed to the Speaker, his intention to resign his seat in the House in the following form and shall not give any reason for his resignation:

Place
Date

To

The Speaker, Legislative Assembly,
Ajmer.

Sir,

I hereby tender my resignation of my seat in the House with effect from.....

Yours faithfully,

Member of the House.

Provided that where any member gives any reasons or introduces any extraneous matter the Speaker may, in his discretion, omit such words, phrases or matter and the same shall not be read out in the House.

(2) As soon as may be, the Speaker shall, after he has received an intimation in writing from a member under his hand resigning his seat in the House, inform the House that such and such a member has resigned his seat in the House:

Provided that when the House is not in session, the Speaker shall inform the House immediately after the House reassembles, that such and such a member has resigned his seat in the House during the inter-session period.

(3) The Secretary shall, as soon as may be after the Speaker has received such intimation from a member resigning his seat in the House, cause the information to be published in the Gazette and forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused.

183. *Permission to Remain Absent from Meetings of the House*—(1) A member wishing to obtain permission of the House for remaining absent from meetings thereof under sub-section (3) of section 16 of the Act shall make an application in writing to the Speaker, stating the period for which he may be permitted to be absent from the meetings of the House.

(2) After the receipt of an application under sub-rule(1) of this rule the Speaker shall, as soon as may be, read out the application to the House and ask: "Is it the pleasure of the House that permission be granted to such and such a member for remaining absent from all meetings of the House for such and such a period". If no one dissents, the Speaker shall say: "Permission to remain absent is granted". But if any dissentient voice is heard, the Speaker shall take the sense of the House and thereupon declare the determination of the House.

(3) No discussion shall take place on any question before the House under this rule.

(4) The Secretary shall, as soon as may be, after a decision has been signified by the House, communicate it to the member.

(5) If a member is absent without permission from all meetings of the Assembly for a period of sixty days or more, computed in the manner provided in the proviso to sub-section (3) of section 16 of the Act, any member may move that such member's seat be declared vacant.

(6) A member shall give three days' notice of such a motion and shall, with his notice, forward a complete statement of the dates on which the member, whose seat is to be declared vacant, was absent.

(7) The Secretary shall keep a list showing the names of all members who are absent for sixty days or more from all meetings of the Assembly and such list shall be made available for inspection by members.

(8) If a member who has been granted leave of absence under sub-rule (2) attends the session of the House during the period of his leave, the unexpired portion of the leave from the date of his resumed attendance shall lapse.

184. *Publication of Information Regarding Vacancies in the Assembly*—The Secretary shall, as soon as may be after a seat in the Assembly has fallen vacant, cause the information to be published in the Gazette, and shall forward a copy of the notification to the Election Commission for taking steps to fill the vacancy thus caused and also to the Government.

185. *Points of Order and Decisions thereon*—(1) Any member may at any time submit a point of order for the decision of the Speaker, but in doing so, shall confine himself to stating the point.

(2) The Speaker shall decide all points of order which may arise, and his decision shall be final.

186. *Discussion on Points of Order*—(1) No discussion on any point of order shall be allowed unless the Speaker thinks fit to hear the views of members thereon.

(2) When a point of order is raised the member then in possession of the House shall immediately resume his seat.

187. *Record of Proceedings of the Assembly*—(1) The Secretary shall keep a Journal in which a short record of the decisions of the Assembly for each day shall be entered.

(2) The Journal after each meeting of the House, shall be signed by the Speaker; and when so signed it shall form an authentic record of the decisions of the House.

(3) The Journal shall be printed and copies of it supplied to members within four days.

188. *Report of Proceedings of the House*—(1) The Secretary shall cause to be prepared a full report of the proceedings of the House at each of its meetings, and shall, as soon as practicable, publish it in such form and in such manner as the Speaker may, from time to time direct.

(2) A copy of such report shall be sent by the Secretary to each member of the Assembly and to the Chief Commissioner.

189. *Expunging of Words from Debates*—If the Speaker is of opinion that a word or words has or have been used in debate, which is or are defamatory or indecent

or unparliamentary or undignified, he may, in his discretion, order that such word or words be expunged from the proceedings of the House.

190. *Indication in Printed Debates of Expunged Proceedings*—The portion of the proceedings of the House so expunged shall be marked by asterisks and an explanatory foot note shall be inserted in the proceedings as follows:—

"Expunged as ordered by the Chair".

191. *Speaker to Regulate Admission of Strangers*—The admission of strangers during the sittings of the House, to those portions of the House, which are not reserved for the exclusive use of members, shall be regulated in accordance with orders made by the Speaker.

192. *Power to Order Withdrawal of Strangers*—The Speaker either of his own motion or on the suggestion of any member may at any time during a sitting of the Assembly order the withdrawal of strangers from any part of the House.

193. *Steps for Expulsion of Strangers*—The Speaker may take such steps as may be necessary or such action as the circumstances of the case may in his discretion require for the expulsion of any stranger from any portion of the House.

194. *Formation of Committees*—Save as provided in these rules and the rules for securing the timely completion of financial business framed by the Chief Commissioner under the proviso to section 32 of the Act, no other Committee shall be formed by the House on a resolution or a motion to be moved by a member in this behalf:

Provided that the Speaker may in his discretion allow the formation of a Committee which he may consider necessary.

195. *Secretary of the Assembly, Ex-Officio Secretary of Select Committees, etc.*—The Secretary of the Assembly shall be the ex-officio Secretary of all the Committees set up by the Assembly or by the Speaker. He shall arrange to send notices of the meetings and shall arrange for the conduct of all correspondence connected with their business.

196. *Suspension of Rules*—Any member may, with the consent of the Speaker, move that any rule may be suspended in its application to a particular motion before the House and if the motion is carried, the rule in question shall be suspended for the time being.

The Speaker shall decide the procedure to be followed in lieu of that contained in the suspended rule.

197. *Speaker to Make Regulations for Election by Single Transferable Vote*—The Speaker shall make regulations governing the method of election by single transferable vote.

198. *Holding of Election by a Section of the Assembly*—When in pursuance of any law for the time being in force a section of members of the Assembly has to elect its representative, the Secretary shall arrange to hold an election when necessary, in accordance with the directions of the Speaker and such regulations as he may make in this behalf.

199. *Residuary Powers*—All matters not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may from time to time direct.

200. *Speaker's Decision not to be Questioned*—No decision of the Speaker in respect of disallowance of any resolution or question or in respect of any other matter shall be questioned.

CHAPTER XVIII

Amendment of Rules

201. *Notice*—Unless the Speaker otherwise directs, not less than ten days' notice of the motion for leave to amend the rules shall be given and the notice shall be accompanied by a draft of the proposed amendments.

202. *Leave of the House*—The motion shall be set down for such day as the Speaker may direct. When the motion is reached the Speaker shall read the draft amendments and ask whether the member has the leave of the House. If objection is taken, the Speaker after permitting, if he thinks fit, a brief explanatory statement from the member, who moves and from the member who objects, shall request those members who support the motion to rise in their places and if not less than one-fifth of the total number of members of the House for the time being rise accordingly, the Speaker shall intimate that the member has the leave of the House. If less than one-fifth of the members rise, the Speaker shall inform the member that he has not the leave of the House.

203. *Members of Special Committee*—Where a member has the leave of the House to proceed, the draft amendments shall be referred to a Special Committee consisting of the Deputy Speaker, the member who has given notice and five other members to be elected by the House, according to the principle of proportional representation by means of the single transferable vote. The Deputy Speaker shall be the Chairman of the Committee.

204. *Subsequent Procedure*—(1) The procedure to be followed by the Special Committee to which the draft has been so referred shall, as far as may be, be the same as the procedure to be followed by a Select Committee on Bills subject to such variations as the Speaker may direct.

(2) After the Special Committee presents its report to the Assembly, the Assembly shall dispose of the matter in the same manner as reports of a Select Committee on Bills under these rules subject to such variations as the Speaker may direct.

(3) When a rule or amendment of a rule is passed by the Assembly, as copy thereof shall be signed by the Speaker and until the Speaker has signed such copy, the rule or amendment shall not have validity.

COURT OF THE JUDICIAL COMMISSIONER, STATE OF AJMER

NOTIFICATIONS

Ajmer, the 1955

No. —Under the powers vested in him under Section 41 of the Special Marriage Act, 1954, the Judicial Commissioner is pleased to frame the following Rules for carrying into effect the provisions of Chapters V, VI and VII of the said Act:—

1. (i) These rules may be called Special Marriage Act, (1954) Rules.
- (ii) These rules will apply to the whole of the State of Ajmer.
- (iii) These rules will come into force from the date of their publication in the Official Gazette.

2. *Definition*—In these rules, unless the context otherwise requires:—

- (a) 'Act' means the Special Marriage Act, 1954.
- (b) 'Court' means the court of the District Judge, Ajmer.

3. Proceedings under Chapter V, or VI or VII of the Act in the court shall be initiated by presentation of a petition by the applicant or by his duly recognised Agent.

4. The application shall be drawn up in accordance with the provisions contained in Civil Procedure regarding framing of pleadings:

Provided further that a petitioner for divorce on the ground of adultery shall also implead the adulterer as a co-respondent except in the following cases:—

- (a) Where the petitioner does not claim any compensation from the adulterer.
- (b) Where the adulterer is of unsound mind on the date of application.

5. The application, drawn up in conformity with Rule 4, shall be registered as a Civil Suit in the court, and shall be proceeded with as a suit in a Civil Court.

6. The valuation of the suit for purposes of payment of process fee and calculation of pleader's fee shall be the income of the husband during the 12 months preceding the presentation of application or Rs. 1,000 whichever is more:

Provided that where compensation is also claimed from the co-respondent the valuation shall be the amount of income as said above plus the amount of compensation claimed.

7. If, in a petition for divorce on the ground of adultery, the court is of opinion that the co-respondent has been responsible for disturbing the married life of the petitioner, it may award appropriate compensation against the co-respondent:

Provided that the amount of compensation so awarded ordinarily shall not exceed—

- (i) 3 times the annual income of the petitioner or the respondent during the 12 months preceding the presentation of application.

(ii) If the petitioner or respondent has no such income or the income is considered insufficient by the court, Rs. 5,000.

Explanation—Income in this rule means earned income and does not include rents, interest, and dividends on shares.

8. *Intervention by persons not already a party*—In proceedings under Chapter V of Chapter VI the following persons may apply at any stage to be added as a party:—

- (a) Father of the wife and in his absence, her next nearest male relation on her parent's side.
- (b) Father of the husband if he is less than 25 years old, and in his absence his next nearest male relative.
- (c) Any other person related to the husband or the wife within 3 degrees.

Persons falling in clauses (a) and (b) shall be impleaded, and those falling in clause (c) may be impleaded, if the court considers that their presence would be helpful in coming to a just decision:

Provided that the persons so impleaded will not be held liable for any costs or other consequences, but shall be entitled to take part in the proceedings and lead evidence to enable the court to come to a just decision.

9. In fixing liability for costs the court shall take into consideration the conduct of parties and ordinarily costs will not be allowed against the wife. The court will also have the power to make the co-respondent liable for the costs of the petitioner as also of the respondent originally made a party.

B. N. NIGAM

I.C.S.

Judicial Commissioner
State of Ajmer

IN THE COURT OF THE INSOLVENCY JUDGE, STATE OF AJMER

Insolvency Case No. 10 of 1954

Shri Daulat Singh son of Shri Dheodan Mal Mahajan of Harmara and Shri Bodulal son of Shri Narain Ram Mahajan of Tilonia, Creditors—Applicants.

Versus

Shri Umrao Singh son of Gopi Singh of Tilonia, Debtor—Opposite-party.

Notice is hereby given to all creditors of the debtor-opposite-party that the above named creditors has applied to this Court to adjudicate insolvent the debtor-opposite-party and that their application has been admitted, will be heard on the 14th day of February 1955 at 11 A.M. Any creditor wishing to join the petition the same may be appeared on the date fixed either in person or by pleader.

Given under my hand and seal of the Court this 21st day of January 1955.

By order

MAN RAJ

for Clerk of Court
to the Insolvency Judge
Ajmer

List of the creditors

		Rs.
1.	Shri Ramdayal Jodhram, Tilonia	2,400
2.	Shri Ramchander Jodhram Tilonia	1,000
3.	Shri Baldas Pujari, Tilonia	2,200
4.	Shri Lalchand son of Bhuralal, Tilonia	400
5.	Shri Gangaparsad Ramkaran, Tilonia	200
6.	Shri Mangilal Malpani, Tilonia	300
7.	Shri Shrilal Ramchander, Harmara	275
8.	Shri Noratmal son of Dadmatdas Brahman, Harmara	15,000
9.	Agriculture Department, State of Ajmer, Ajmer	700

